

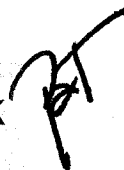
**HAWAII STATE
HOUSE OF REPRESENTATIVES**

REGULAR SESSION OF 2010

***ROUGH DRAFT
JOURNAL***

**TWENTY-SIXTH DAY
MARCH 8, 2010**

OFFICE OF THE CHIEF CLERK

A handwritten signature in black ink, appearing to be 'JT', is written over the text 'OFFICE OF THE CHIEF CLERK'.

All Mini and Rough Draft Journals are provided as an informational service only and are not intended to replace the permanent bound version of the House Journal which is the official certified record. The daily Mini Journals and Rough Draft Journals are subject to correction and approval, and should not be relied upon, quoted or cited as an official record.

*The **Mini Journal** is produced for each legislative day and shows all action which took place on the Chamber Floor, including all bills and resolutions introduced, referrals, readings, all motions and votes, and Governor's Messages and other Communications. The Mini Journal does not include verbatim floor remarks or announcements made.*

The Mini Journal is generally available the next legislative day following each day's session and may be obtained at the House Printshop.

*The **Rough Draft Journal** includes verbatim floor remarks, written remarks, announcements and introductions made on the Chamber Floor. Copies of the Rough Draft Journal may be obtained at the House Printshop as they become available.*

*The **Mini Journal** and **Rough Draft Journal** may also be obtained at the House of Representatives section of the legislative website. www.capitol.hawaii.gov*

*The **bound version of the House Journal** is the official certified record of the proceedings of the House of Representatives. Once certified, the official permanent record is published and bound after the close of the Regular or Special Session of the Legislature.*

TWENTY-SIXTH DAY

Monday, March 8, 2010

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2010, convened at 12:10 o'clock p.m., with Vice Speaker Magaoay presiding.

The invocation was delivered by Pastor Brandon Ahu of New Hope Leeward, after which the Roll was called showing all Members present with the exception of Representatives Bertram and Takai, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Twenty-Fifth Day was deferred.

GOVERNOR'S MESSAGES

The following message from the Governor (Gov. Msg. No. 202) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 202, dated March 1, 2010, transmitting the Hawaii Community Development Authority's Annual Report for fiscal year ending June 30, 2009.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 333 through 337) were received and announced by the Clerk:

Sen. Com. No. 333, transmitting S.C.R. No. 21, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING PUBLIC AND PRIVATE SCHOOLS TO INCORPORATE MORE KINESTHETIC AND OTHER TYPES OF LEARNING INTO SCHOOL CURRICULA," which was adopted by the Senate on March 5, 2010.

Sen. Com. No. 334, transmitting S.C.R. No. 28, SD 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE DEPARTMENT OF EDUCATION TO EXPAND IMPLEMENTATION OF THE OFFER VERSUS SERVE CONCEPT TO ALL PUBLIC SCHOOLS IN THE STATE TO FURTHER REDUCE FOOD AND MILK WASTE," which was adopted by the Senate on March 5, 2010.

Sen. Com. No. 335, transmitting S.C.R. No. 38, SD 1, entitled: "SENATE CONCURRENT RESOLUTION RECOMMENDING THAT THE KAPOLEI COURT COMPLEX BE RENAMED THE "RONALD T.Y. MOON JUDICIAL COMPLEX"," which was adopted by the Senate on March 5, 2010.

Sen. Com. No. 336, transmitting S.C.R. No. 94, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REPORT ON TO THE ESTIMATED COST, COST SAVINGS, AND IMPACT OF PROVIDING AND EXPANDING ONLINE INSTRUCTION THROUGH THE HAWAII VIRTUAL LEARNING NETWORK'S PROGRAMS AND COURSES," which was adopted by the Senate on March 5, 2010.

Sen. Com. No. 337, informing the House that the Senate has on March 4, 2010, agreed to the amendments proposed by the House to the following Senate Bills and that said bills have this day passed Final Reading:

S.B. No. 549, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE EXPRESS WARRANTY ENFORCEMENT."

S.B. No. 771, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO APPRAISALS."

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Manahan introduced Philippine Consul General Leoncio R. Cardenas.

Representative Rhoads introduced his constituent, Mr. Doug Pyle.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

<u>H.R.</u> <u>Nos.</u>	<u>Referred to:</u>
93	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Legislative Management
94	Committee on Judiciary
95	Committee on Transportation, then to the Committee on Finance
96	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
97	Committee on Education, then to the Committee on Transportation, then to the Committee on Finance
98	Jointly to the Committee on Higher Education and the Committee on Health, then to the Committee on Finance
99	Committee on Transportation, then to the Committee on Finance
100	Committee on Public Safety, then to the Committee on Finance
101	Committee on Transportation, then to the Committee on Judiciary
102	Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance
103	Committee on Education, then to the Committee on Finance
104	Jointly to the Committee on Public Safety and the Committee on Hawaiian Affairs, then to the Committee on Finance
105	Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance
<u>H.C.R.</u> <u>Nos.</u>	<u>Referred to:</u>
155	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Legislative Management
156	Committee on Judiciary
157	Committee on Transportation, then to the Committee on Finance
158	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance

ROUGH DRAFT

- 159 Committee on Education, then to the Committee on Transportation, then to the Committee on Finance
- 160 Jointly to the Committee on Higher Education and the Committee on Health, then to the Committee on Finance
- 161 Committee on Transportation, then to the Committee on Finance
- 162 Committee on Public Safety, then to the Committee on Finance
- 163 Committee on Education, then to the Committee on Public Safety, then to the Committee on Finance
- 164 Committee on Transportation, then to the Committee on Judiciary
- 165 Committee on Human Services, then to the Committee on Legislative Management
- 166 Committee on Tourism, Culture, & International Affairs, then to the Committee on Finance
- 167 Committee on Education, then to the Committee on Finance
- 168 Jointly to the Committee on Public Safety and the Committee on Hawaiian Affairs, then to the Committee on Finance
- 169 Committee on Economic Revitalization, Business, & Military Affairs, then to the Committee on Finance

Ms. Magdalena Domingo, program host of 'Saniata Variety Hour';

Ms. Venus Florido Viloria, program host of 'Loving Yours, Ate Vi';

Mr. Byrne Munoz, program host of 'Linabag ti Napalabas' and 'Fun-O-Rama' who was represented by his son, Mr. Bryan Munoz; and

Mr. Flor Martinez, program host of 'Mr. Parbangon' who was represented by fellow KNDI program host, Ms. Felina Quebral.

Representative Cabanilla also recognized her former boss, Ms. Leona Jona and thanked her for inspiring her to give back to the community.

Representative Cabanilla also introduced her staff member, Ms. Rosebella Ellazar-Martinez, wife of Mr. Flor Martinez.

The motion was put to vote by the Chair and carried, and H.R. No. 115 was adopted, with Representatives Bertram, M. Oshiro, Saiki and Takai being excused.

The following resolution (H.R. No. 116) was announced by the Clerk and the following action taken:

H.R. No. 116, entitled: "HOUSE RESOLUTION HONORING ANN MARIE NALANI KIRK FOR OUTSTANDING SERVICES IN SAFEGUARDING HAWAII'S NATURAL AND CULTURAL RESOURCES, EDUCATING THE YOUTH OF HAWAII, AND PERPETUATING NATIVE HAWAIIAN ORAL TRADITIONS AND HISTORY," was offered by Representative Berg.

Representative Berg moved that H.R. No. 116 be adopted, seconded by Representative Hanohano.

Representative Berg introduced the honoree, Ms. Ann Marie Nalani Kirk who was seated on the Floor of the House, and thanked her for her grassroots involvement to perpetuate Native Hawaiian tradition and history.

Representative Berg then introduced Ms. Kirk's family and friends who were seated in the Gallery:

Parents, Mr. Jim and Mrs. Jessica Kirk;

Brothers, Mr. Jim Kirk and Mr. Kevin Kirk;

Dr. Vilsoni Hereniko, Director of the University of Hawaii Center for Pacific Island Studies;

Ms. Tisha Hickson, Outreach Coordinator for the University of Hawaii Center for Pacific Island Studies; and

Ms. Naomi Losch, Masters Degree Advisor.

Representative Hanohano then extended her greetings and Mahalo to the honoree.

Representative Ward also recognized Ms. Kirk for her work as the keeper of culture and the stories of East Oahu.

The motion was put to vote by the Chair and carried, and H.R. No. 116 was adopted, with Representatives Bertram, M. Oshiro, Saiki and Takai being excused.

At 12:35 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:44 o'clock p.m.

The Chair then announced:

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

S.B.
Nos.

Re-referred to:

- 506, SD1, HD1 Jointly to the Committee on Economic Revitalization, Business, & Military Affairs and the Committee on Consumer Protection & Commerce, then to the Committee on Finance
- 2121 Committee on Judiciary

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 115) was announced by the Clerk and the following action taken:

H.R. No. 115, entitled: "HOUSE RESOLUTION RECOGNIZING AND CONGRATULATING KNDI RADIO, ITS PRESIDENT AND PROGRAM HOSTS FOR EMPOWERING THE IMMIGRANT COMMUNITY THROUGH THE STATION'S UNIQUE ETHNIC PROGRAMMING," was offered by Representative Manahan.

Representative Manahan moved that H.R. No. 115 be adopted, seconded by Representative Aquino.

Representative Manahan congratulated KNDI Radio on 50 years of multicultural programming, providing the immigrant community with information and a voice, and vital emergency communication in 15 different languages.

Representative Manahan then introduced Ms. Leona Jona, President and General Manager for KNDI Radio who was seated on the Floor of the House.

Representative Aquino then introduced other honorees seated on the Floor of the House:

ROUGH DRAFT

"Members, please note that S.B. No. 506, SD 1, HD 1 has been re-referred solely to the Committees on Economic Revitalization, Business & Military Affairs, and Agriculture per Committee Referral Sheet No. 40 that was issued on March 5th. The Committee on Finance waived its referral to this measure and therefore it is before this House for further action."

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the rules were suspended to reconsider action previously taken on S.B. No. 506, SD 1, HD 1. (Representatives Bertram, Brower, Chang, Chong, C. Lee, Manahan, Rhoads, Say and Takai were excused)

RECONSIDERATION OF ACTION TAKEN

Representative B. Oshiro moved that the House reconsider its action previously taken pursuant to the recommendation contained in Standing Committee Report No. 1182, recommending referral to the Committee on Finance seconded by Representative Evans and carried. (Representatives Bertram, Chong, C. Lee, Manahan, Rhoads and Takai were excused.)

UNFINISHED BUSINESS

On motion by Representative B. Oshiro, second by Representative Evans and carried, S.B. No. 506, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was recommitted to the Committee on Economic Revitalization, Business, & Military Affairs and the Committee on Agriculture, with Representatives Bertram, Chong, C. Lee, Manahan, Rhoads and Takai being excused.

Stand. Com. No. 477-10 and S.B. No. 1059, SD 2, HD 2:

By unanimous consent, action was deferred one legislative day.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain House Bills for Third Reading by consent calendar. (Representatives Bertram and Takai were excused.)

UNFINISHED BUSINESS

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 681-10) recommending that H.B. No. 2000, HD 1, as amended in HD 2, pass Third Reading.

Representative M. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 2000, HD 2, pass Third Reading, seconded by Representative M. Lee.

Representative Karamatsu rose to speak in support of the measure, stating:

"Mr. Speaker. I rise in support. Mr. Speaker, I am in favor of House Bill 2000, House Draft 2, which is the budget for the Judiciary Branch. As a reflection of these tough economic times, this measure reduces the Judiciary's overall budget by \$7.8 million for furloughs.

"However, the House recognizes that specialty courts play a huge role in helping those who have gone on the wrong path to get back on the right one. Keep in mind that approximately 80% of individuals in trouble with the law are involved with drugs. A high percentage of individuals involved with drugs have family problems, are victims of physical abuse or sexual abuse, and are going through mental challenges such as post traumatic stress disorder and depression. These programs help individuals to get off

of drugs, learn life skills to be productive citizens, but most importantly, it gives them hope that life can be better.

"Moreover, these programs not only change lives, but save the State a lot of money. For example, Adult Drug Court's operating costs for 387 persons are \$3.1 million a year, whereas, it would cost the State \$19.6 million a year to put these same individuals in the prison system. For Juvenile Drug Court, the cost for 65 persons are \$1 million a year, whereas, it would cost just under \$6.6 million a year for the same individuals if they were placed in the prison system.

"In addition, the House recognizes that the many non-profit organizations participating in purchase of service contracts with the Judiciary play a key role in providing essential services to help the people of Hawaii in need of assistance in our legal system.

"Thus, with the specialty courts' and purchase-of-service contracts' proven success and cost savings, \$1.5 million has been restored in this bill for their services.

"In line with this Judiciary budget bill are two House bills, HB No. 1752, HD 1, which gives judges discretion in sentencing for non-violent repeat offenders including sending them to the specialty courts. And HB No. 1756, HD 1 that allows non-violent offenders to expunge their record upon successfully completing their sentencing so that they are able to get jobs and be a productive citizen. Therefore, these bills together with the budget bill will help individuals who turn around their lives and further save the State billions of dollars in the long run.

"Our country and State love comeback stories, as reflected by many of our books and movies. Likewise, Hawaii's specialty courts and non-profit organizations participating in the Judiciary's purchase of service contracts will give our people the opportunity to make the greatest comeback in their lives. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2000, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Third Reading by a vote of 49 ayes, with Representatives Bertram and Takai being excused.

At 12:50 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 2000, HD 2

THIRD READING

H.B. No. 2200, HD 1:

Representative M. Oshiro moved that H.B. No. 2200, HD 1, pass Third Reading, seconded by Representative M. Lee.

Representative Shimabukuro rose to speak in support of the measure, stating:

"I rise in support. This budget bill is very significant in that it seeks to protect DHS workers from Director Koller's proposed plan to eliminate 232 workers who provide essential services to Hawaii's most needy.

"I wanted to share with you a statement from one of our valued DHS employees, Nalani Thompson who stated, quote, "Ms. Koller, you referenced us in your editorial as horses." Ms. Thompson also describes an incident where face to face contact is needed. "A DHS worker came to get me saying that a woman has a knife sticking out of her stomach. She was a homeless person and got stabbed in the early morning and we had to call the ambulance." This is an example of the DHS workers referred to as 'horses' who saved a person's life.

"This kind of service could not be provided by a call center. I ask all Members to support the passage of HB No. 2200, HD 1. Thank you."

ROUGH DRAFT

Representative M. Oshiro rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. I rise in support of this measure. First, let me thank Vice Chair Marilyn Lee. Marilyn, thank you for making sure that we all stayed healthy and sane. Thank you also playing the 'bad cop' so sometimes I could be the 'good cop.' Thank you for your sense of humor, your patience, and for always advancing the health needs of our community.

"A shout out is also deserved for our newest member of the Committee, none other than Representative Finnegan, our illustrious Republican Minority Leader. Lynn, you've added a new dimension and voice to our Committee. It is considerable and greatly appreciated, especially by me.

"May I also thank the entire Finance Committee for their hard work and commitment. Many of you have come forward with ideas and suggestions that have been incorporated into this final product. Your insight into the decisions of the standing committees, and your institutional knowledge tempered our decision making while provoking our debate and discussion. Thank you Representatives Awana, Brower, Har, Nishimoto, Sagum, Tokioka, Ward and Yamashita.

"And the fantastic freshman, Representatives Aquino, Choy, Coffman, Keith-Agaran, Chris Lee, and Wooley. As freshman legislators, you all have brought new insight into our analysis and discussion of programs and fiscal policy. Indeed because of your industry, a high bar has been set for future freshman members. And the Legislature's longest Committee hearing record, set in 2009, remains unchallenged and unmatched.

"To the Committee Chairs, thank you for working with us over the past several months and for prioritizing your programs and expenditures of limited resources. Chairs Cabanilla, Carroll, Hanohano, Herkes, Ito, Karamatsu, Manahan, McKelvey, Morita, Rhoades, Souki, Tokioka and Tsuji. All of you took responsibility for your respective departments. All of you made hard choices and entrusted the Finance Committee to put it all together. Thank you for your patience, faith, and confidence.

"I need to especially thank Chairs Chang, Mizuno, Takumi, and Yamane. Your four departments, Education, Health, Human Services, and the University of Hawaii have been impacted the greatest. I appreciate your understanding in exploring some of the present budget cuts to see if we can save, or shift some money to other departments and restore important programs. You all were honest in your consultation with me, but at the end of the day I have made recommendations which even you do not agree with. Therefore any criticism or shortcoming in this measure are mine, and mine alone.

"Finally, I'd like to like to thank the Finance staff. In the front office, the people that take all the interesting and angry phone calls, run logistical support for the Committee, make sure we are well-fed, hydrated, and taken care of, and make sure I make all my meetings. Please stand, and Members please hold your applause until all the members of the Finance staff are recognized. Lisa Asano-Beem, Mark Garedo, Charin Tomomitsu, Ann Yuasa, led by Tracy Kubota, and Jo Hamasaki.

"The Research and Budget Analysts. They are the ones who are going through the worksheets, interfacing with the departments, and drilling down to the nuts and bolts of these budget documents. Tiffany Aoyama, Kathleen Lee, Megan Muramatsu, Michael Bomhoff, Nicholas Chong, Susan Fernandez, Michael Fisher, Leslie Goo, Eric Abe, all led by Stacey Tagala, Puna Chai, Michael Ng, Randy Hiyoto, and Nandana Kalupahana."

Representative Yamashita rose to yield his time, and the Chair "so ordered."

Representative M. Oshiro continued, stating:

"Mr. Speaker, may I have permission to insert the respective titles and positions as additional written remarks? Members, please give a round of applause to the Finance Staff. Thank you, Mr. Speaker.

"Mr. Speaker, this has not been an easy budget to craft and it will not be an easy budget to accept. Based on limited resources, this is a budget that tries to do the right thing for the people of Hawaii. It does not mask the harsh realities we face.

"Unlike previous budgets, this budget does not treat everyone equally. This budget makes the hard choices that the Governor and others have not. Scratch below the surface of any superficial analysis of the budget and you will see that this budget truly prioritizes people. It prioritizes our 'safety net.' It prioritizes health, the people's health, as well as environmental health. It prioritizes public safety and food safety. It prioritizes children.

"Throughout the Session we have asked ourselves these questions. How far can we cut government programs and services? What programs and services are we willing to live without? And are we willing to pay more for the programs and services we want? What do we want Hawaii to look like when the recession ends?

"We answer with this budget and the bills we passed last week. The day for one-time solutions and delaying payments have long passed us. Such approaches will simply make matters worse for years to come. When we added up the bill for anything that was not paid for in the budget submitted by the Governor, we came up with a list of about \$500 million in unpaid bills. Unpaid bills are a serious problem for anyone to have, for households, as well as government. It means that someone is not being paid for services rendered or goods provided. It has both fiscal and moral consequences.

"Mr. Speaker, last June, at the end of fiscal year 2009 when the Governor delayed paying some bills, she told the people of Hawaii in a live statewide televised broadcast and I quote, 'These bills which total a \$130 million will be paid in full only a few days late in July. We are not foregoing our financial responsibility and obligations for these payments, but merely shifting these costs to the next fiscal year.'

"Mr. Speaker, the Governor has not kept her promise. The bill she claimed to have deferred into next fiscal year 2010, won't be paid until fiscal year 2011 and 2013.

"And things have actually gotten worse. Mr. Speaker, there are just a couple of headlines we've seen in recent weeks. From the February 17th, 2010 *Star-Bulletin* and I quote, 'State to delay paying for health coverage could further suspension of services or even closure of some health centers.'

"February 9th, 2010, in *The Honolulu Advertiser*, 'Hawaii will delay sending out tax refunds to balance budget. Lingle plan to mail out checks greater part of an effort to ease \$721 million revenue shortfall.'

"Mr. Speaker, on September 3rd, 2009, during a web address to the people of Hawaii, the Governor claimed, 'As I said before, we cannot kick the can down the road and just expect that everything will turn out okay. I am not willing to leave to Hawaii's next Governor the tough choices that need to be made today.'

"Unfortunately Mr. Speaker, that is exactly what has been proposed in the Governor's budget. Unpaid bills, delays in payments, and IOU's. These all weaken confidence in the business sector and will further delay our economic recovery. It is simply bad practice and chills investment confidence.

"Moody's has cautioned us that outside investors are watching us and we must heed their warnings. The budget submitted to us cuts spending without any rhyme or reason."

Representative Keith-Agaran rose to yield his time, and the Chair "so ordered."

Representative M. Oshiro continued, stating:

"Thank you. A 13.8% across the board cut on all departments was imposed resulting in a cut to half of the homeless programs in Department of Human Services, the abolishment of the award winning Film Branch,

and nearly destroying the invasive species program guarding our land and food supply.

"Mr. Speaker, the more we questioned, the more it became apparent that the budget simply reduces government cost by any means available, doing what was most expedient. There's an old saying that says, 'The road to hell is paved with good intentions.' The budget submitted to us seems to have done that. Bottom line, there was no real thought given to core functions or priorities.

"Government heads insist that there will be no impact through these reductions. I must respectfully disagree. The clearest example is the Child Protective Services Branch of the Department of Human Services where nearly one quarter of the positions were terminated. Mr. Speaker, I thought my job was difficult. Then I began to talk to Child Protective Service case workers. Even after speaking with them, I cannot fathom what it really takes to be in their shoes. But I admire the heart and soul of these dedicated individuals. They are the heroes and heroines on the frontline battling unimaginable witness, and whose decisions are truly ones of life and death.

"It is true, and I agree with Director Koller that Child Protective Service case workers have stepped up to the plate and picked up the slack. But there has been an impact Mr. Speaker, and the risk of tragic results may have increased. One case worker I heard from told me that their caseload has increase six times.

"Here's a quick sampling of those typical cases. There's a four-year old who lives with his mother and his grandparents. The father is currently out of the picture. He may be in prison, missing, or even dead. The four-year old and the mother are chronic sex abuse victims of the grandfather.

"Sample two. There's a mother who has two young children. The father is out of the picture, maybe in prison, missing, or dead. She has a boyfriend who has been abusing all three of them. The boyfriend began threatening the lives of the children, literally saying, 'I will kill you.' And on multiple occasions, he has produced a weapon. The mother did get a temporary restraining order against the boyfriend, but came to court with the boyfriend and said it had been, 'worked out.' The threats continue and just recently, the children were removed.

"Number three. There's a case of an abusive boyfriend with a small child involved. The child had been raped multiple times and had her arms broken. Before the child could be removed, the boyfriend drowned the child.

"Mr. Speaker, I apologize for the graphic nature of these cases, but that is a reality faced by the child protective service agents, and I resent the notion that the mere recitation of '*esprit decorps*,' 'do more with less,' or even a hardy '*ganbari mashoo*,' can protect the most innocent and vulnerable members of our society.

"Mr. Speaker, I cannot think of any responsibility greater than the safety of children. That is why this budget completely restores child protective services.

"Mr. Speaker, this budget does not treat everyone equally. We have taken from the big departments. We have identified alternative cuts so we can restore critical programs that have been the victim of the one-size-fits-all reduction in force proposed by the Governor.

"I must note that the departments we took from the most were those departments receiving money under the American Recovery and Reinvestment Act, but this does not mean that there will be no impact to the choices we have made in this budget. As I stated last week, there will be blow-back. We anticipate this and quite frankly, Mr. Speaker, and I welcome it. I want that, and we should have a frank discussion of this budget proposal versus the Governor's. Only then can we be sure that the ideas contained in this budget are acceptable and appropriate. My growing fear however is that key personnel in all departments ..."

Representative Cabanilla rose to yield her time, and the Chair "so ordered."

Representative M. Oshiro continued, stating:

"Thank you, Mr. Speaker. My growing fear however is that key personnel in all departments will be gagged from speaking out and threaten with loss of job or positions for voicing accurate and honest assessments. We are all in this canoe together, and I still hope we can work with the Administration to do what's right for the people of Hawaii.

"Mr. Speaker, this budget is balanced, but more importantly, this budget brings balance back to State government. I have no doubt that when people simply look at the overall numbers, the press releases, the one-page summaries, the digests, this budget looks like it takes from education and health. However Mr. Speaker, the devil has always been in the details.

"We disagree that the Governor's budget that was presented to us and performed our own surgery using a scalpel instead of a meat cleaver. We made sure that number one, we take care of those who cannot take care of themselves, the aged, the impaired, the poor, the needy, and the neglected.

"Number two, we made sure that we do not forsake our role of custodians of our natural resources, protecting our lands, waters, and ocean for future generations.

"And number three, that we nurture and promote an environment where our children are safe and can thrive.

"Mr. Speaker, we all stood in this Chamber last week making some difficult choices. We cut government programs and services by identifying what we could live without, and restored programs that are truly the only 'safety net' for those who are too poor, too sick, too abused to help themselves.

"With this budget and the bills we passed last week we will be able to pay our bills now and into the future. This budget is a reflection of who we are, what we are for, and the future we want for ourselves and the next generation. Thank you, Mr. Speaker."

Representative M. Oshiro submitted the names and position titles of the Finance Committee staff members:

Committee Clerk, Mr. Nandana Kalupahana.

Administrative Services Manager, Ms. Tracy Kubota.

Legislative Aides, Ms. Lisa Asano-Beem, Mr. Mark Garedo, Ms. Charin Tomomitsu and Ms. Ann Yuasa.

Research Chief, Mr. Randall Hiyoto.

Research Supervisor, Ms. Stacey Tagala.

Researchers, Mr. Erik Abe, Ms. Tiffany Aoyama, Ms. Kathleen Lee and Ms. Megan Muramatsu.

Budget Chief, Mr. Mike Ng.

Budget Supervisor, Ms. Puna Chai.

Budget Analysts, Mr. Mike Bomhoff, Mr. Nicholas Chong, Mr. Mike Fisher, Ms. Leslie Goo, and Ms. Susan Fernandez.

Zoo Keeper, Mr. Jo Hamasaki.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise in support with, let me put it this way. If it wasn't for the Committee Report, I would be in support. Having read the Committee Report, I have reservations. I will vote with reservations. Between full support and reservations.

"The point is that some of the Committee Report has inflammatory statements. There are some omissions in it, some inaccuracies, and it's not the type of Committee Report that should accompany a \$10 billion budget. Let me get into that a little bit later though.

ROUGH DRAFT

"Before that, let me say that where this excels, and where I guess I would have started. Like the Chair of Finance, with an upbeat 'go get 'em.' I probably wouldn't even add some of the things that I'm going to add. But first, I would like to thank the staff. Every year Mr. Speaker, it gets better and better, the transparency and democracy, the voting and the interaction and the suggestions, and even the welcoming of the new member from the Minority. It's a good sign that things are coming.

"I was also very impressed that the most important issue faced by this Body, the Chair and the Finance Committee took that by the horns and that was, let's end the furloughs. There's \$50 million which hopefully will be enough incentive to get the people around the table again and hopefully, come to some resolution to get our kids back in school.

"I will also applaud the surgical cut that the Finance Chair has stated, and some of us were very happy with what came out of it. Some of us were unhappy with what was in there, but the way that the whining record is recorded in the Committee Report, I think it leaves a lot to be desired.

"I want to also commend the Chair for protecting our agriculture, aggressively attacking invasive species, lending an ear to the poor, and more specifically the most vulnerable who are young. But my colleague passed me a note and said, 'Should the money from the Mililani turf field and track have been used for these individuals? That is money that has already been funded.

"Lastly, kudos are also due for keeping our libraries open, and very importantly Mr. Speaker, for funding our charter schools with a bit more money. Unfortunately, we lost the first round of funding for the Race to the Top, and that's \$75 million. So the charter school funds will be very, very important. And kudos to the Chair for reinserting money for the tourism office in Taiwan, and the progenitor of our visitor to Waikiki is going to be a Chinese and reopening that office is good. And for restoring the Aerospace Office, albeit with its small funds, to acknowledge that the future of travel is space travel and work, but we have to get in on the ground floor.

"Having said this Mr. Speaker, I have a few things about my disaffection with the budget, regarding some inaccuracies and some omissions in H.B. 2200. First there's a parenthetical reminder to all of us. H.B. 2200 is not really a budget, it's a spending plan. Webster's Dictionary defines a budget as a statement of financial position of an administration for a definite period of time based on estimates of expenditures during a period, and proposes the financing of them. A budget therefore is both an income and expense statement. But what we have today is a spending plan, and until we see the revenue side of the budget, we are discussing something that is more or less moot.

"And I should point out that when the Governor's budget came down, there was a spending plan. We didn't all agree with it, but it showed where the money was coming from. Again, I would commend the staff that put a spreadsheet together the first day that the Finance Committee met in the first week of January. The spreadsheet showed where the budget was going out, and where the money was coming in. And Mr. Speaker, that is not here yet.

"The Chair of Finance is often says, 'The Governor proposes, but the House disposes.' Yet throughout the Committee Report we were constantly reminded of the fault finding that the Governor had, or she be given and arguably, the Committee Report became a political report.

"Conspicuously absent in H.B. 2200, and in the spirit of fairness it should be mentioned that the Governor refused to make wholesale cuts to State workers. This budget nor the Committee Report acknowledges or references the critical role the Governor played and implemented an early on, and until this day, a warm-body policy to keep State workers employed. She refused to cut thousands of jobs to balance the budget from the get go."

Representative Marumoto rose to yield her time, and the Chair "so ordered."

Representative Ward continued, stating:

"She refused to balance the budget from the get go, and you recall Mr. Speaker, the formula for every 1,000 jobs cut, it is equivalent to saving \$43 million. Instead we ended up with across-the-board cuts, many of which we were unhappy with. But we must not forget that the fundamental act of preserving these families' livelihoods and housing and overall well-being was for the sake of State workers. It was not a one-size-fits-all. It was a plan to prevent massive unemployment in the State of Hawaii.

"Mr. Speaker, unemployment today is 7.3%. But if the Governor would have put really the 'meat axe' to it, as the Finance Chair said, to State workers, we would be up at the national average of just a little bit under 10%. Presently we have about 44,000 people unemployed, but only about a thousand of these people are actually State workers. Some of the people in the private sector resent that, but we should know that 98% of the unemployed are private sector individuals, not public sector people. The bottom line is that the government workers are about 20% of the labor force, but they compromise 2% of the unemployed. Again because those State jobs were preserved.

"With 77 cents of every tax dollar goes towards government salaries, the public sector unions and their supporters should be grateful that almost 99% of State workers still have their jobs.

"Mr. Speaker, my second concern is that H.B. 2200 gives the unfortunate impression that the House budget and the Governor's budget were light years apart. The total budget that we're looking at today is \$10.50 billion, and the Governor's budget was \$10.89 billion. That's only a difference of \$49 million. So the spread between the two we can argue is about where the cuts were, but the actual amounts, there's really an agreement with the Executive Branch in the House, at least so far. Mr. Speaker, that is a 1% difference. It's not a big difference.

"But let me go to my last concern now and this is the '\$64,000 question.' How are we going to be pay for this budget? That's the bigger question on the minds of the people of Hawaii. Where is the money going to come from? H.B. 2200 says nothing about that, but it references vaguely that there are going to be some tax increases and other things that it never follows through with, nor spells out. But yet we have to balance our budget. The concern is how are we going to do it? That means the budget battle, the budget discussion is just now beginning.

"We can already see that this Body and the Executive Branch basically disagree. But the big difference is going to come down the line when it comes to the spending. Last week I spoke on this Floor about 15 job killer bills that this Body passed that could seriously hurt our recovery from this recession, and then balances this budget on the backs of the small business community. With the 500% increase on the unemployment taxes in the next few months, and a 900% increase by next year, Hawaii's small businesses are going to feel the pinch.

"Mr. Speaker, there are about 37 small businesses in Hawaii with over 90% of them having less than 20 employees. According to the U.S. Small Business Administration, small business loan failure rates are up 11.9% in 2009, and we have no reason to think this negative trend will not continue as more and more small businesses are folding.

"I don't need to remind you Mr. Speaker, nor this Body that we have now defunct, out of business, closed their doors, 'another one hits the dust,' Aloha Airlines, Molokai Ranch, Maui Land and Pineapple, Palama Meat Company, ATA Airlines, Circuit City, CompUSA, Weyerhaeuser, Island Chevrolet on the Big Island, even the Outrigger closed their travel club. And we talked about the TAT not having an impact on tourism. They closed their travel club. And we also know that one of our newspapers probably in the next four to five weeks is going to die. This is not to mention the tv stations. We've got one tv station here today. Always when we argued the budget there were at least three tv stations. We got one tv station, or let's say two tv stations. One newspaper, and we have big layoffs. And Sea Life Park, Servco Pacific, Hawaiian Medical Center, Norwegian Cruise Lines, etc.

"The point is Mr. Speaker, how do we get the money to balance this budget is really the argument and we need to know the spending plan.

ROUGH DRAFT

Despite this dismal economic future and the fact that unemployment has doubled ..."

Representative Pine rose to yield her time, and the Chair "so ordered."

Representative Ward continued, stating:

"I'm just about finished. Thank you, Representative. Despite the dismal economic picture, and the fact that unemployment has doubled, this Body has passed the job killers. For example, H.B. 1926, which adds a \$20 surcharge that businesses have to pay whenever they pay for a variety of State fees. Another example, H.B. 1907 takes away net operating loss deductions, itemized deduction, capital goods, excise tax. H.B. 2867 and H.B. 2877 eliminate various tax exemptions that were implemented to stimulate business. And H.B. 2852 to increase premiums on health insurance.

"Mr. Speaker, it's a bit of an irony that we bemoaned the fact that our health insurance on the national level is such a big issue and it's escalating, but yet we turn around and we put fees on Kaiser and HMSA so the cost of healthcare goes up. It's a bit odd that we would bemoan that, and at the same time turn around and increase those taxes.

"Bottom line Mr. Speaker, my point is that we cannot kill more jobs with this budget by the way we fund it. And let's not forget that the jobs that have been saved up to this point due to the actions of the Governor which I just spoke of. Let's be objective. Let's be fair. The expense side of the ledger may be filled in, but the battle over the budget is on the revenue side which we're just beginning to discuss.

"As the Subject Matter Chairs and others boast of this budget, let's remember that this bill is only the beginning volley in our fight for a balanced budget. Thank you, Mr. Speaker."

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of House Bill 2200, HD 1. Thank you, Mr. Speaker. Although Crossover represents only the midpoint of the Session, I appreciate your work and the tireless work of our Finance Chair, Vice Chair, and Finance Committee members and their staff in crafting a prudent budget by reducing the Governor's budget by \$60 million, and restoring critical positions in child protective services, adult protective services, and in protecting our eligibility workers.

"For your Department of Human Services Mr. Speaker, the budget bill carefully protects 'safety net' positions while reducing the Department's overall budget by over \$18.5 million. In an article in the *Island Voices* section in *The Honolulu Advertiser* on March 2nd, 2010 the Department of Human Services' Director Koller referred to DHS employees as 'horses.' I find the use of such a description offensive and hurtful to the hardworking and dedicated employees of the Department of Human Services.

"The genesis of her comment stems from the fact that Ms. Koller wants to eliminate 232 DHS employees, mostly eligibility workers, and close every single public assistance office in the State of Hawaii. If you can visualize the closing of 31 public assistance offices in our State. This is what you'll see. No public assistance offices on Maui. No public assistance offices on Molokai. No public assistance offices on Lanai, or Kauai, or in Kona. You will only see two call centers that they plan to open up on Oahu and on Hilo.

"This proposal, if carried out, will gut the Department of Human Services in one final swoop before the Director of the Department leaves. If her plan is successful, they will have closed all offices and eliminated 232 positions. This final act will take the 'human' out the Department of Human Services.

"If I can share with you testimony from Aaron Nagata, an Adult Protective Services investigator in West Hawaii on the Big Island. Mr. Nagata provides in relevant part, 'The West Hawaii section consists of two investigators and two social service assistants. To date, our staff has been cut in half. For a geographical area slightly larger than the Islands of Oahu and Kauai together, our district will rely on one investigator for all

investigations. This brings serious concerns for the safety and welfare of our targeted population.'

"What would the ramifications be? By eliminating 232 Department of Human Services employees, we're going to be adversely affecting over 300,000 of the most needy individuals and families in the State of Hawaii. Who are these 300,000 people in Hawaii Mr. Speaker? It's our aged, our blind, our disabled, our domestic violence victims, our homeless families, our low income families, our victims of elder abuse and child abuse. They will no longer have the ability to maintain services with their case worker or obtain services by person-to-person contact who will interview them and help them navigate through this most difficult recession.

"Now more than ever we need these services, Mr. Speaker. This is our 'safety net' that we're talking about. The very fabric of our community. We have no throw-away people in our society."

Representative Brower rose to yield his time, and the Chair "so ordered."

Representative Mizuno continued, stating:

"I want to thank again the Finance Chair and you, Mr. Speaker, for protecting our DHS workers and the 300,000 needy individuals in the State of Hawaii. For those reasons, I support this bill. Thank you, Mr. Speaker."

Representative Tsuji rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I am in strong support of HB No. 2200, HD 1. Thank you, very much. First of all, I too would like to thank the Chair of the Finance Committee and the members, and the staff for working long hours and really allowing me to present what I believe, are some of the concerns of the Department of Agriculture and agricultural concern with the State of Hawaii.

"We all recognize that the global economic meltdown has been far reaching with unprecedented affects that have really reached outside borders and into our State of Hawaii isolated in the middle of the Pacific. But although we may be isolated, we are not unaffected from of the economic adversities that happened throughout the world. In the area of agriculture, this budget represents our concerns as citizens. This budget responds and acts with alternatives to the budget cuts and the reduction in force.

"In particular in agriculture, we've prevented, with the systematic inspection of airports and harbor facilities, from allowing invasive species to enter our islands. We recognized the endangerment of our food supply. We recognize the endangerment of timely inspecting and certifying our export items.

"Mr. Speaker, going to our agriculture inspectors. Agriculture inspectors are essential for stopping invasive species from entering Hawaii. The reinstatement of 22 inspectors, only temporarily postpones the closure of our Neighbor Island ports. If we had no inspectors, our food products could languish in storage for up to a couple of weeks before clearing inspection, and maybe another week before they are finally stocked on our Neighbor Island store shelves.

"At HDOA, Department of Agriculture officials estimate the annual economic impact on these delays and non-arrivals to be conservatively estimated at \$1 billion, a negative economic impact to our State of Hawaii.

"We must be prepared for natural disasters here in Hawaii like the vog and most recently, the tsunami. We've had tsunamis previously, since 1960 and 1946. But if I may say, the most recent, if it hasn't already been addressed, it's another wake up call to all of us, Mr. Speaker. We import more than 80% of the items that we consume. The supply is less than two weeks here in Hawaii. We have got to think about we repair our harbors, as they be can destroyed.

"In 2006 on the Big Island of Hawaii, the Kawaihae Harbor was devastated and destroyed by the 2006 earthquake. To this very day, that harbor has not been repaired. Utilizing special funds are only a temporary

means of reprieve, and Honolulu right here is the epicenter of this critical distribution point.

"Let's talk about food safety certification. Hawaii exports products such as coffee and papaya are in dire need of timely inspection and certification. This budget ensures that our coffee and papaya industry are serviced in a timely manner so their products can meet the critical export shipping time. A ship waits for no man. Any disruption of daily inspection negatively impacts our industry. This budget further ensures that our State is."

Representative Wooley rose to yield her time, and the Chair "so ordered."

Representative Tsuji continued, stating:

"Thank you, very much. This budget further ensures that our State is compliant with food safety audits. E. coli and salmonella continue to plague food safety and are responsible for an alarming number of deaths nationwide, if not worldwide. Federal mandates are expected for such food safety audits and they are making their journey into the congressional level right now.

"There are more and more, and I could go on and on, but when I heard a Representative say this budget is only the beginning, I don't think it's only the beginning. It's a never-ending journey and I quote, 'We need to take action now to increase Hawaii's food self-sufficiency and strengthen and preserve agriculture for future generations as required by our State Constitution.' Mr. Speaker, it goes on to say, 'If we replaced only 10% of the food we currently import, it would create more than \$300 million in economic activity, generate \$6 million in taxes and create over 2,300 new jobs.'

"These are great observations, Mr. Speaker. This quote was over a year and a half ago in the State of the State Address by the Governor of our State of Hawaii. Please take this into consideration. I support this legislation. Thank you very much, Mr. Speaker."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise with reservations on HB 2200, HD 1. Thank you, Mr. Speaker. First of all, I did want to state my thank you to the Chair. It's been a wild and crazy ride, but I absolutely appreciate his willingness to work with the Minority and just educating me as a first time member. I also want to thank our staff in HMIR, as well Finance staff. Nan told me one day that learning the Finance Committee is like drinking water through a fire hose, and I absolutely, 100% agree. But I want to thank you for all your hard work because that's something that has helped me to be able to grasp, as much as possible, this budget that we're passing forward.

"My comments that I am moving forward are meant to be respectful as much as I can be, but also understand that I do have some disagreements. I won't focus on a lot of the things that I do agree with because my time is limited as we only have a few people to give their minutes to me, so I will move on."

"The people of Hawaii are looking to us to create an efficient government, define core services, and do everything possible to live within our means. Although I will be supporting this budget, I have reservations as I think we have not done a good enough job at accomplishing the goals that I stated.

"All Members of this Body are aware of the significant budget predicament that Hawaii currently finds itself in. No one disagrees on this point. Mr. Speaker, where the Members of this Body disagree is their belief of how to best weather this storm. When it comes down to it, we really have to ask ourselves whether we're willing to take the appropriate actions necessary by asking tough questions.

"In short, the Administration has taken steps to reinvent government versus temporarily tinkering with it. As members of the Executive Branch, each department director performed their Executive Branch responsibility

by reviewing its own strengths and weaknesses, eliminating redundancies and inefficiencies, and making needed adjustments.

"Indeed, the Administration performed a programmatic analysis of its own operations, taking into account the resulting impact on services of layoffs. In the Legislature's attempt to undo the Administration's effort to become more efficient and reinvent government, we've reversed some of their work because of philosophical disagreements.

"Case and point, this measure restores 112 positions in spite of the reality that labor costs contribute to 70% of the State's budget. Most of these positions are not funded so I agree with that, but their restoration implies their further potential to be filled. This means that despite the needs that come around when times get better, the Legislature is giving the signal to fill positions from an old and possibly outdated plan. This is not reinventing government. Now is the time to really reinvent government and reform government versus temporarily tinkering with it to achieve the façade of reform.

"Departmental leadership is closest to the everyday running and management of the Executive Branch. Often when this Administration and its departments try to innovate or streamline their delivery of services and programs, the Legislature has an immediate gut reaction.

"The Department of Human Services epitomizes the Legislature's often negative knee-jerk reaction to reinventing government. Nationally, Director Koller has been honored for her work as Governing Magazine's Public Official of the Year, across the nation. DHS has made a genuine effort to increase the quality of services and care while reforming the bureaucratic red tape that often hampered the agency's mission.

"There are a few strong criticisms of the Department of Human Service and the management decisions of Director Koller. The criticisms center around two programs, the Eligibility Processing Operations Division, otherwise known as EPOD, it's reorganization; and the Child Welfare Services Division. These two divisions service people in our State who are considered some of the vulnerable. I'm going to focus on these areas as examples of how difficult it is to reinvent and create an efficient government.

"Upon careful review of the proposed RIFs in this area that handle the EPOD program, I have come to the conclusion that we are making the wrong decision by restoring these positions in the HD 1. One would think that eliminating positions in these areas ..."

Representative Ching rose to yield her time, and the Chair "so ordered."

Representative Finnegan continued, stating:

"Thank you, Mr. Speaker. One would think that eliminating positions on these areas would lessen services. I'm going to take the time to explain why the opposite is true.

"Over the weekend I read the Program Access Toolkit for 2010 provided by the federal government. A guide for state agencies on improving access to Supplemental Nutrition Assistance Programs or SNAP. This guide book focuses on eligibility and access for this federal assistance program. It also mentions other eligibility type programs that we're using for federal government programs. In 2010, Mr. Speaker, this is under the Obama Administration. This 40-something page guide basically refutes a lot of the negativity that people are seeing with the EPOD reorganization.

"EPOD opponents are saying that customers could no longer receive in-person help when applying for benefits. Not true. Customers could still receive in-person help on all islands from DHS staff and community partners. Customers would have the added options of applying online or by phone, added options which will make it faster and more convenient to apply. This talks about community partnerships, face-to-face interviews. Using your existing resources in a different way. Reorganizing, and reinventing government.

"EPOD opponents are saying that customers would get trapped in an automated phone system. Again, not true. Customers who call DHS would

speak directly with an eligibility worker just as they do now. Customers could also communicate with eligibility workers via webcam if they prefer. The federal government encourages phone interviews for the SNAP or the Supplemental Nutrition Assistance Program. They also talk about encouraging these other offices, because there will be DHS offices on every island.

"EPOD opponents are saying that fraud will increase if interviews are not conducted in person. Again, again, not true. The federal government points out that telephone interviews in the SNAP program have not produced increases in fraud contrary to, and they call it, 'a common myth.' In fact a customer's telephonic signature or a voice recording is considered more reliable than an electronic signature.

"HGEA and others, I think some legislators, are opposing EPOD because it would mean the loss of around 230 public sector union jobs. These positions would no longer be needed because EPOD would significantly improve the workflow and processing applications. It is unfortunate that some union workers would face layoffs. However we must remain focused on the prime mission of delivering benefits and services to customers as quickly and efficiently as possible.

"EPOD would also generate significant cost savings for taxpayers during the worst economic downturn in State history. That would free up money to be used for other important needs.

"This past Saturday, there was an opinion editorial on this EPOD program stating that, 'Hawaii can no longer afford a horse and buggy government that is labor intensive, costly, and slow.' It also states that reform comes with a price. In this case, her proposal, meaning Director Koller's proposal would close 31 offices and eliminate 230 jobs while retaining 289 staffers. That is making her unpopular among those who would lose their jobs and the Hawaii Government Employee's Association which represent them.

"Mr. Speaker, we should not get defensive when we're trying to use an analogy of a 'horse and buggy' and just saying, 'Hey, it's time to get into a fast car.' She's not calling the employees 'horses.' Mr. Speaker, if we're going to do the right thing, we cannot be defensive. We need to take a look at the existing situation and make things better.

"The Committee Report also finds that DHS has used questionable judgment and quotes an article about consultant, Sandie Hoback. The media article this report cites is a small, online publication and they quoted a long-term welfare recipient who doesn't like how the system works. That is no basis for calling the consultant's competency into question. She is a nationally respected consultant who has helped many states upgrade their human services."

Representative Thielen rose to yield her time, and the Chair "so ordered."

Representative Finnegan continued, stating:

"Thank you, Mr. Speaker. This consultant helped Director Koller develop the SEE Hawaii Work, Supporting Employment Empowerment program that was launched in 2005. Nearly 2000 welfare recipients have participated. 921 completed their SEE assignments and 783 or 85% have successfully obtained unsubsidized employment, many of them for the first time in their lives and are no longer on welfare rolls. Does that sound like a consultant making it more difficult? This is the resistance that comes along with creating a more efficient government, Mr. Speaker.

"The second area and example of major disagreement is in the Child Welfare Division. Under Director Koller's leadership and management, the number of children in State foster care has decreased by 50% from about 3,000 in 2003, to 1,400 children today. This is the lowest number since 1993. More importantly, Hawaii now has one of the lowest rates of child re-abuse rates in the country. Prior to implementing this new direction in 2003, DHS removed children from their biological families at up to four times the national average with no improvement in their safety. The HD 1 reverses the nationally recognized strategy that was implemented by Koller by cutting purchase of contract agreements that provide prevention

services that are proven to keep children safe. Remember former Representative Mike Kahikina and his cries for help as kids were being ripped from their homes.

"So let's address some of the comments in this Committee Report. Case loads have not quadrupled. Child welfare case loads have not quadrupled as claimed in the House Finance Committee Report. And I understand that this is coming from the line. Mr. Speaker, somewhere in between, I hope you know from what is coming from Child Welfare Services and what is coming from the line and what they're saying, that we can really grasp as to what is going on. But this is from Child Welfare Services.

"The CWS intake data shows about a 20% increase in referrals being assigned for investigation, but that is nowhere near the 400% increase as stated in the House Report. Mr. Speaker, and there's a whole bunch of other things I'm going to put in written comments so I like to ask to submit written comments.

"CWS investigations are timely. For CWS cases assessed as having safety concerns, investigations should take place within two working days from the time of intake, until intake is assigned to a unit for investigation. For cases that are not assessed as having safety concerns, investigation should take place within five working days. Mr. Speaker, in fiscal year 2009, CWS conducted face-to-face contact for all cases assigned for investigation within 3.72 days. A significant improvement from the 15 days between the acceptance of the report and face-to-face contact in fiscal year 2002. The volume of intakes assigned for investigations without safety concerns, plus the unexpected retirement and departure of employees are having an impact on the current CWS response times. Mr. Speaker, this is all a very delicate balance.

"One more point on this issue. CWS positions should not be restored by decreasing contracted services. I think if you want to go ahead and restore some of these other positions in CWS, I think that could be warranted, but remember, year after year these types of really graphic situations of child abuse happens even when we had the money and we didn't fund more positions. Unfortunately that's one of the realities of this world. And I'm not saying to not fund them. I'm just saying that we're breaking down the system that made us so successful in the first place.

"The funding of these purchase of contracts in the HD 1 with the funding that was there for the purchase of contracts. Hawaii passed all six national standards, which are recurrence of maltreatment, incidents of child abuse and neglect in foster care, foster care re-entries, length of time to achieve reunification, length of time to achieve adoption, and stability of foster patients placements.

"Mr. Speaker, I have so much to say, but I'm going to skip this for now because I know that I'm running out of time. The need to question ..."

The Chair addressed Representative Finnegan stating:

"Representative Finnegan, could you sum up? Your time is getting close to running out."

Representative Finnegan continued, stating:

"Let me see. Let me choose then. Mr. Speaker, I guess where I'd like to jump to now is just that it wouldn't be fair if I came to the table and said, 'Don't do this, and don't do that.' I think it would be fair if I gave some recommendations where we could look further for cuts. We can look further for cuts and I'll explain it my written remarks on Medicaid, and we can still provide good services. We have in the past talked about ..."

The Chair then stated:

"Representative Finnegan, you're out of time. We need to be fair."

Representative Marumoto rose, stating:

"Mr. Speaker. I would like to yield my rebuttal time to the Minority Leader."

ROUGH DRAFT

Representative B. Oshiro rose to a point of order, stating:

"Point of order. You can't do that under Rule 50 of our House Rules. Thank you."

Representative Ward rose, stating:

"Mr. Speaker, when I was yielded 5 minutes, I only used two of those, so there are three minutes left."

Vice Speaker Magaoay: "Representative Ward, I've been watching the clock. Representative Ward, you're out of order. Representative Ward."

Representative Ward: "Maybe someone from the Majority side will help my colleague finish her speech. Thank you, very much."

Representative Finnegan: "Thank you, Mr. Speaker. I do have other things that I'd like to enter in the written comments, but at this point and time could I call for a recess?"

At 1:50 o'clock p.m. Representative Finnegan requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:53 o'clock p.m.

At this time, the Chair stated:

"Members, we've had a long discussion regarding H.B. 2200. After hearing from the Minority Leader, the Chair will allow you a compassionate one minute and that's it. Please proceed, Representative Finnegan."

Representative Finnegan continued, stating:

"Thank you, Mr. Speaker. I'll try and do this in Tom Brower style. Mr. Speaker, in these hard times we need to make hard choices. We should be looking at curbing our expenses in Medicaid. I understand that not everyone has the benefit and luxury of being able to work, and we need to provide help and services to these people. But Mr. Speaker, at the same token we cannot continue to furnish unlimited healthcare coverage through QUEST to able-bodied adults.

"Mr. Speaker, I'm not talking about those who are blind, disabled, or aged. This is about \$78 million if we change those benefits. And Mr. Speaker, in the private sector, as well as in the public sector, people who are working are getting less benefits, and paying more.

"Mr. Speaker, another area is the State Health Planning and Development Agency. I think we've heard from many people on the Republican side that we would like to look into abolishing that, as well as the Office of Community Services, the Hawaii Occupational Safety and Health Division as that is duplicative of the federal program. I will put the remainder as written comments. Thank you."

Representative Finnegan's written remarks are as follows:

"Hawaii Occupational Safety and Health Division (HiOSH)"

"The Federal government and State government both regulate workplace safety; this State division is redundant. If we get rid of HiOSH, the federal government will continue to regulate workplace safety through OSHA. 25 states already do without a state workplace safety regulatory body, letting the feds do the regulating.

"Because this Division has a history of operational and fiscal mismanagement, as pointed out in SCR for this bill, this cut would be worth the \$3,866,779 in general fund savings for FY 2011, and every year thereafter.

"Office of Community Services (OCS)"

"The Office of Community Services' programs and functions can easily and intuitively be absorbed by other State departments with overlapping missions and service. I have friends in that agency, and many of you do

too. But this is the time for hard decisions, and redundancy in government is an area we should be looking to cut. Eliminating this office would result in savings of approximately \$9,743,897 in FY 2011, and every year beyond.

"For comparison sake, this is almost the exact amount of money needed to fund the DISH appropriation bill that we just passed out of the House last week.

"Office of Language Access (OLA)"

"Since its inception, the Office of Language Access has fallen short of its mandate, has failed to promulgate the necessary rules to effect its purpose, and has suffered budget and position cuts by past legislatures. More importantly, there is no federal mandate to do this service, simply a desire on the State level. And while it is a worthy aspiration, the Department of Human Services is fulfilling this function on its own, without the OLA. And so can other departments and divisions.

"If we haven't fully funded them in the past, there is no need at this time to continue the office. Eliminating OLA would save us approximately \$305,029 in FY 2011, and every year beyond.

"State Health Planning and Development Agency (SHPDA)"

"This is the agency responsible for the Certificate of Need program, and in years past, we have advocated for the program and the agency's demise. 14 states have repealed this outdated program, and more are debating discontinuing it. Because of our healthcare market, I believe that private entities would apply just as much scrutiny, if not more, when it comes to the purchase of new medical technologies and equipment.

"Eliminating SHPDA would save the state approximately \$670,741 in FY 2011, and every year beyond.

"The total savings from the proposed cuts from these 5 programs equals \$92,586,446 in FY 2011, and every fiscal year thereafter. Another way of looking at it is that we could save \$555m over the current 6 year financial plan.

"I am also voting with reservations on this budget bill Mr. Speaker, so that I can still qualify to sit on the Conference Committee later in the Legislative Session. Our rules are such that if we vote "no" on a bill we are unable to participate as a Conference Committee member when the final bill is being negotiated between the House and the Senate.

"Generally speaking, I will support the part of the budget that addresses the Department of Education. Unfortunately, our education system is broken. The Board of Education is given the responsibility to govern Hawaii's public school system, but often shirks its responsibility and is unable to make tough decisions. The suggestion to restore "Furlough Fridays" through making additional cuts in other areas of the DOE is an idea that I strongly support. The DOE is the largest spender of State funds, spending over 2 billion a year. Instructional hours and days for our keiki should be the first priority of funding. Yet, in our current system, adult needs are being met over student needs. This system cut instruction time over the rest of the \$2 billion being spent on education. This is perplexing to me.

"I am bothered by the comments this Committee Report makes on Public Charter Schools (PCS). Public Charter School law was passed with the understanding that if we were to give charter schools funds and remove much of the red tape that strangles most traditional schools, innovation, dedication, and freedom for these schools and their communities would create better learning environments and therefore, better educational results. The difficulty of getting information from PCSs is not that they don't have the information. It is mainly that the PCSs do not have the information in the same reporting mechanisms that exist in the DOE. I am disappointed in the conclusions made in this Committee Report. Hopefully, in the future there will be a Finance Committee that truly understands Public Charter Schools and their existence.

"Finally Mr. Speaker, this Committee Report criticizes the Administration for its antics of "kicking the can" down the road. We continue to experience an unprecedented economic recession. The delicate

handling of cutting expenses and avoiding tax and fee increases is crucial to economic recovery and taxpayer sanity. If the Committee felt strongly against these measures, they should have done more than just complained; they should have fixed it.

"Even with the difficult decisions that we have to make on the Finance Committee, I am honored and privileged to be serving my constituents and the people of Hawaii in this way."

Representative Takumi rose to speak in support of the measure with reservations, stating:

"Thank you very much, Mr. Speaker. I stand with some reservations on this measure. Thank you. You know it's been said that education is a process of moving from absolute ignorance, to thoughtful uncertainty and I think that's true with the budget-making process. We start off not knowing which direction we're going to go, and we're at this juncture where hopeful this document represents some thoughtfulness, but surely some uncertainty as well.

"I'd like to commend the Finance Chair, the Vice Chair, the Committee members, and also the Finance staff for what is always a 'Sisyphus task' as they always have to push that rock up the hill.

"Let me offer a bit of perspective, and hopefully it is with some thoughtfulness, and no doubt, some uncertainty as well. First a clarification. In the Committee Report, it states that the student enrollment in our public school system dropped 4% from 1999 to 2009, and of course this is true. It also states that the total funding from the Department, considering all funding sources, nearly tripled during that same period increasing from approximately \$987 million, to \$2.8 billion.

"I would have hoped that the Committee Report would have elaborated what the reasons for this are, Mr. Speaker. And by the way, the DOE's budget in FY09 was \$2.4 billion, not \$2.8 billion. But during this period of time, those approximately 20% increase in collective bargaining. Not to mention transfer of services. Those of you who were here not that long ago would remember transferring the autism services from the Department of Health, and school health aides from the Department of Health to the Department of Education. That totals in the hundreds of millions of dollars.

"The budget also reduces the purchase of service contracts. In the report it says that it's to spread the burden of general fund shortfall among those who have been benefiting from private contracts with the Department, but have not experienced cuts in funding for these contracts. Mr. Speaker, that's a bit vague, but what this would mean is that, as you well know, at any given school that has to engage in contracts for tree trimming or removing grease from their traps in the cafeteria, or elevator maintenance for those schools who have elevators, what the upshot of this is that these school will now have to pay for this out of their own funds these because these are services that must be done primarily for health and safety.

"But the biggest impact Mr. Speaker, is the \$18.4 million cut from EDN 100. I think we all know that this is a line item that goes directly to the schools, and a good chunk of that in the weighted student formula. The result of this cut would mean that class size from grades 3 to 6 will go up by almost two students, and grades 7 to 12 by almost four students. We've been saying all along that unlike other states that went with layoffs of teachers, and increased class sizes, we ended up with furloughs. Unfortunately this measure will increase class size without a doubt.

"So Mr. Speaker, I will remain hopeful that by the time the budget is up for the final vote, that this particular budget cut will be resolved. Thank you, Mr. Speaker."

Representative Ching rose to speak in support of the measure with reservations, stating:

"I just wanted to make sure that my reservations were noted. And ask that the words of the Minority Leader be entered as my own, and I will submit additional written comments as well."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support of H.B. 2200. Relating to the Budget. As we are at the half-way point of the 2010 Legislative Session the budget comes to the forefront of this Body. This Legislature must find the delicate balance of balancing our budget yet keeping jobs and sustaining funding for vital community services and programs. I believe it is important to grow our small businesses, for it is these small business that are the back bone of our economy. We must find ways to help our small businesses because their success expands outwards to the rest of our economy.

"Fiscal inefficiency has been the chief reason for our State's budgetary woes. It is simple economics that you can't spend more than you bring in. As I pour over statistics and research looking at past budgets and this proposed budget, I find areas where we can be more fiscally sound. The Director of the Department of Human Services, Lillian Koller, has found several ways to make government more efficient. One proposal Ms. Koller has come up with is to reform the processing of applications and renewals for public assistance programs, including welfare, Medicaid and nutrition benefits. Ms. Koller doesn't want to cut services to the needy rather, she want to provide a more efficient service. This model of efficiency has been used quite successfully by many states, most notably being Florida.

"We must be more fiscally efficient as a Body. The great people of Hawaii have put their faith in us and we owe them prudence, diligence, and bipartisanship, especially during these economic times. It is of the utmost importance that we embrace fiscal integrity for the security and prosperity of our great citizens. Thank you."

The Chair then stated:

"Members, we've had a lot of discussion on this matter. I would ask if you are for or against the measure, if you could submit written comments to the Journal. It is 2:00 right now."

Representative Mizuno rose to respond, stating:

"Mr. Speaker, can I just with your indulgence, maybe have one minute of time please. Yes Mr. Speaker, I am still in support, but to rebut the previous speaker's comments."

At 1:59 o'clock p.m. Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:00 o'clock p.m.

Representative M. Lee rose to speak in support of the measure, stating:

"Mr. Speaker, I stand in strong support of the measure, and I'm going to give up my time and insert my wonderful speech that I worked so hard on last night into the record."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of the measure. On February 21, 2010, Columnist Thomas Friedman wrote in the *New York Times*:

"A small news item from Tracy, California caught my eye last week. Local station CBS reported that Tracy residents can pay a \$48 dollar voluntary fee for the year which allows them to call 911 as many times as necessary. Or, there's the option of not signing up for the annual fee. Instead they will be charged \$300 if they make a call for help."

"Welcome to the lean years."

"Hawaii has not escaped the effect of the US and global recession, and this budget dramatically illustrates the results. This is indeed a lean year.

"However, the House Finance Committee, ably led by Chair Marcus Oshiro, and supported by a hardworking and research-oriented staff have turned out a responsible yet tough budget to pass over to the Senate.

"Members spent many hours going line by line over the budget, and were rewarded by being part of a very open and transparent process. Each member had the opportunity for input, and discussions were frank and productive.

"Unlike the draft that came down from the Fifth Floor, the HD1 restores some essential services and does set priorities. There is no doubt that education, health, human services and agriculture remain at the top of our concerns.

"Fifty million dollars placed in the budget out of general funds, I repeat – general funds, affirms our conviction that furlough days for our public schools students need to cease. To avoid increasing the number of furlough days to address the budget crisis, the budget identifies areas in which efficiency could be improved. Your Committee has crafted a budget that would involve reductions in POS contracts to spread the burden of general fund shortfalls among those who have been benefiting from private contracts with the DOE, but have not experienced cuts in funding for those contracts.

"Regarding the Mililani High School field turf issue – Members should know that is an example of a true health and safety need for a school that has been generous to a fault in sharing the use of its facilities and staff to schools all over the Island.

"The budget graphically shows however, the huge impact the downturn has had upon departments. Where possible, positions and funds were restored, but funds don't allow for many additions. The Governor's budget has relied on floating payments for critical services down the river – a quick and dirty solution that families know is not the answer even in their personal finances.

"Last week, we passed some creative revenue generating measures, and we look forward to the action the Senate may take; hoping that restoration of some critical programs may be possible through their implementation.

"As Tom Friedman states in the *New York Times* article:

"Unfortunately, to lead now is to trim – services – programs – personnel.... We have gone from the age of government handouts to the age of citizen givebacks; from the age of flying free to the age of paying for each bag."

"However, these efforts need to be done responsibly and with a plan in mind.

"To their credit, freshman members have maintained a 'stiff upper lip.' It wasn't supposed to be like this when they signed up – but they are taking it in stride, doing their homework and explaining to constituents why new programs, projects are not possible this session.

"Things will improve. National unemployment figures from last month look better, and local real estate transactions seem to be perking up. We were blessed that a possible tsunami last week produced only some unusual wave patterns.

"Mr. Speaker, this HD1 is just a beginning. The Council on Revenues meets again soon, and we have many difficult decisions still to make before the end of Session.

"However, I for one have confidence we will be up to the challenge. Therefore, I urge the Member's support."

Representative Pine rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Pine's written remarks are as follows:

"Mr. Speaker, I rise in support with reservations for House Bill 2200, Relating to the State Budget. I have reservations with the State budget in

its current form. During times like this we must be bolder. All we are doing is maintaining the status quo."

Representative Belatti rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Belatti's written remarks are as follows:

"I rise with reservations on HB 2200, HD 1. This budget bill seeks to meet the House's obligation of presenting a balanced budget to the electorate. It is premised upon revenue generating bills that I have already voted in opposition to. Because of my previous opposition on certain revenue-generation bills and because there is much more work that needs to be done on this bill, on determining where government can be reasonably cut, and on other revenue-generating bills as they move through the Senate and Conference Committees, I vote with reservations at this time."

The motion was put to vote by the Chair and carried, and H.B. No. 2200, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Third Reading by a vote of 48 ayes, with Representatives Bertram, Herkes and Takai being excused.

At 2:01 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 2200, HD 1

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 108 through 114) and concurrent resolutions (H.C.R. Nos. 170 through 179) were referred to Printing and further action was deferred:

H.R. No. 108, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO ADOPT UNAMBIGUOUS LANGUAGE REGARDING PHOTOGRAPHIC RECORDS ON EXPUNGEMENT CERTIFICATES," was offered by Representative Belatti, by request.

H.R. No. 109, entitled: "HOUSE RESOLUTION URGING PRESIDENT BARACK OBAMA TO SELECT A LOCATION IN HAWAII AS THE SITE FOR HIS PRESIDENTIAL LIBRARY," was jointly offered by Representatives Takai, Aquino, Belatti, Bertram, Brower, Cabanilla, Carroll, Ching, Hanohano, Herkes, Ito, Karamatsu, C. Lee, M. Lee, Magaoay, Manahan, Mizuno, Nishimoto, M. Oshiro, Pine, Rhoads, Shimabukuro, Souki, Thielen, Wooley, Awana, Berg, Chang, Chong, Choy, Coffman, Evans, Finnegan, Keith-Agaran, Luke, Marumoto, McKelvey, Morita, Nakashima, B. Oshiro, Sagum, Saiki, Tokioka, Tsuji, Ward, Yamane and Yamashita.

H.R. No. 110, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO DESIGNATE THE HONOR AND REMEMBER FLAG AS A NATIONAL SYMBOL OF OUR NATION'S CONCERN AND COMMITMENT TO HONORING AND REMEMBERING THE LIVES OF ALL MEMBERS OF THE US ARMED FORCES WHO HAVE LOST THEIR LIVES IN THE LINE OF DUTY," was jointly offered by Representatives Takai, Aquino, Awana, Belatti, Bertram, Brower, Cabanilla, Carroll, Ching, Chong, Evans, Hanohano, Har, Ito, Keith-Agaran, C. Lee, M. Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nakashima, Nishimoto, B. Oshiro, M. Oshiro, Pine, Sagum, Shimabukuro, Thielen, Tsuji, Wooley, Yamane, Yamashita, Chang, Choy, Herkes, Karamatsu, Marumoto, Souki, Takumi, Wakai and Ward.

H.R. No. 111, entitled: "HOUSE RESOLUTION URGING HAWAII HEALTH SYSTEMS CORPORATION HOSPITALS AND CLINICS TO ACCEPT MEDICAL STUDENT ROTATIONS FROM A.T. STILL UNIVERSITY SCHOOL OF OSTEOPATHIC MEDICINE BASED OUT OF THE WAIANAE COAST COMPREHENSIVE HEALTH CENTER, THE UNIVERSITY OF HAWAII JOHN A. BURNS SCHOOL OF MEDICINE, AND OTHER HAWAII-BASED MEDICAL SCHOOLS," was jointly offered by Representatives Shimabukuro and Mizuno.

H.R. No. 112, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO PROVIDE INFORMATION TO THE LEGISLATURE ON THE CONSTRUCTION AND USE OF CELL TOWERS," was offered by Representative Hanohano.

H.R. No. 113, entitled: "HOUSE RESOLUTION RECOGNIZING OCTOBER AS ENERGY AWARENESS MONTH IN HAWAII," was jointly offered by Representatives Mizuno and Coffman.

H.R. No. 114, entitled: "HOUSE RESOLUTION REQUESTING THE DEVELOPMENT OF PROPOSED LEGISLATION MANDATING THE SIZE AND EXTENT OF A MANAGED CARE PLAN'S SPECIALTY NETWORK," was jointly offered by Representatives Mizuno, Shimabukuro and Yamane.

H.C.R. No. 170, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO ADOPT UNAMBIGUOUS LANGUAGE REGARDING PHOTOGRAPHIC RECORDS ON EXPUNGEMENT CERTIFICATES," was offered by Representative Belatti, by request.

H.C.R. No. 171, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO REVIEW THE GUARDIANSHIP PROCESS WITH RESPECT TO PATIENTS IN HOSPITALS WHO ARE WAITLISTED FOR POST-ACUTE CARE," was jointly offered by Representatives Karamatsu, Belatti, Brower, Ito, McKelvey, Mizuno, Morita, Nishimoto, B. Oshiro, Shimabukuro, Souki, Tsuji, Cabanilla, Carroll, Herkes, Wakai and Yamane.

H.C.R. No. 172, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO HEALTH SYSTEM TASK FORCE," was jointly offered by Representatives Karamatsu, Belatti, Brower, Ito, McKelvey, Mizuno, Morita, Nishimoto, B. Oshiro, Shimabukuro, Souki, Tsuji, Cabanilla, Carroll, Herkes and Wakai.

H.C.R. No. 173, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE NATIONAL DISASTER PREPAREDNESS TRAINING CENTER AT THE UNIVERSITY OF HAWAII AT MANOA TO PREPARE A REPORT ON THE CIVIL DEFENSE PREPAREDNESS RESPONSE TO THE FEBRUARY, 2010 TSUNAMI THREAT," was jointly offered by Representatives Herkes, Chang, Coffman, Evans, Hanohano, Ito, Nakashima and Tsuji.

H.C.R. No. 174, entitled: "HOUSE CONCURRENT RESOLUTION URGING PRESIDENT BARACK OBAMA TO SELECT A LOCATION IN HAWAII AS THE SITE FOR HIS PRESIDENTIAL LIBRARY," was jointly offered by Representatives Takai, Aquino, Belatti, Bertram, Brower, Cabanilla, Carroll, Ching, Hanohano, Herkes, Karamatsu, Keith-Agaran, C. Lee, M. Lee, Luke, Magaoay, Manahan, Marumoto, Mizuno, Nishimoto, B. Oshiro, M. Oshiro, Pine, Rhoads, Sagum, Shimabukuro, Souki, Thielen, Wooley, Awana, Berg, Chang, Chong, Choy, Coffman, Evans, Finnegan, Ito, McKelvey, Morita, Nakashima, Saiki, Tokioka, Tsuji, Ward, Yamane and Yamashita.

H.C.R. No. 175, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO DESIGNATE THE HONOR AND REMEMBER FLAG AS A NATIONAL SYMBOL OF OUR NATION'S CONCERN AND COMMITMENT TO HONORING AND REMEMBERING THE LIVES OF ALL MEMBERS OF THE US ARMED FORCES WHO HAVE LOST THEIR LIVES IN THE LINE OF DUTY," was jointly offered by Representatives Takai, Aquino, Awana, Belatti, Bertram, Brower, Cabanilla, Carroll, Ching, Chong, Evans, Hanohano, Har, Herkes, Ito, C. Lee, M. Lee, Luke, Magaoay, Manahan, Marumoto, McKelvey, Mizuno, Morita, Nishimoto, Pine, Shimabukuro, Souki, Thielen, Tsuji, Wooley, Yamane, Yamashita, Chang, Choy, Karamatsu, Keith-Agaran, Nakashima, B. Oshiro, M. Oshiro, Sagum, Takumi, Wakai and Ward.

H.C.R. No. 176, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII HEALTH SYSTEMS CORPORATION HOSPITALS AND CLINICS TO ACCEPT MEDICAL STUDENT ROTATIONS FROM A.T. STILL UNIVERSITY SCHOOL OF OSTEOPATHIC MEDICINE BASED OUT OF THE WAIANAE COAST COMPREHENSIVE HEALTH CENTER, THE UNIVERSITY OF HAWAII JOHN A. BURNS SCHOOL OF MEDICINE, AND OTHER HAWAII-BASED MEDICAL SCHOOLS," was jointly offered by Representatives Shimabukuro and Mizuno.

H.C.R. No. 177, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO PROVIDE INFORMATION TO THE LEGISLATURE ON THE CONSTRUCTION AND USE OF CELL TOWERS," was offered by Representative Hanohano.

H.C.R. No. 178, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING OCTOBER AS ENERGY AWARENESS MONTH IN HAWAII," was jointly offered by Representatives Mizuno and Coffman.

H.C.R. No. 179, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF PROPOSED LEGISLATION MANDATING THE SIZE AND EXTENT OF A MANAGED CARE PLAN'S SPECIALTY NETWORK," was jointly offered by Representatives Mizuno, Shimabukuro and Yamane.

ANNOUNCEMENTS

Representative Hanohano: "Yes, it's with great pride and honor that I stand today to congratulate the Pahoehoe High School Boys Basketball Team. The State Division II Championship Team. Mahalo."

Vice Speaker Magaoay: "Representative Hanohano, the team should be commended for that, and their trials and tribulations in getting to the State Championship, Division II. Thank you."

Representative Berg: "Yes, Mr. Speaker. I understand that we have another birthday today for one of our colleagues from the Big Island. If we could sign *Happy Birthday* to Representative Chang, I think it might help us leave this Chamber with good feelings. It is not *Kum Bah Ya*, but it is *Happy Birthday*. Thank you, Mr. Speaker."

Vice Speaker Magaoay: "Representative Chang, is it true that it is your birthday today? Do you have anything to say?"

Representative Chang: "I'd like to thank the Representative from Hawaii Kai, but unfortunately, it is not my birthday. Sorry."

ADJOURNMENT

At 2:03 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, March 9, 2010. (Representatives Bertram, Herkes and Takai were excused.)